



Federal Register

1-16-03

Vol. 68 No. 11

Pages 2175-2408

Thursday

Jan. 16, 2003



The **FEDERAL REGISTER** is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see <http://www.nara.gov/fedreg>.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and it includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

GPO Access users can choose to retrieve online **Federal Register** documents as TEXT (ASCII text, graphics omitted), PDF (Adobe Portable Document Format, including full text and all graphics), or SUMMARY (abbreviated text) files. Users should carefully check retrieved material to ensure that documents were properly downloaded.

On the World Wide Web, connect to the **Federal Register** at <http://www.access.gpo.gov/nara>. Those without World Wide Web access can also connect with a local WAIS client, by Telnet to swais.access.gpo.gov, or by dialing (202) 512-1661 with a computer and modem. When using Telnet or modem, type swais, then log in as guest with no password.

For more information about GPO Access, contact the GPO Access User Support Team by E-mail at gpoaccess@gpo.gov; by fax at (202) 512-1262; or call (202) 512-1530 or 1-888-293-6498 (toll free) between 7 a.m. and 5 p.m. Eastern time, Monday-Friday, except Federal holidays.

The annual subscription price for the **Federal Register** paper edition is \$699, or \$764 for a combined **Federal Register**, **Federal Register Index** and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register Index** and LSA is \$264. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$10.00 for each issue, or \$10.00 for each group of pages as actually bound; or \$2.00 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 25% for foreign handling. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 68 FR 12345.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

Online mailing list archives

FEDREGTOC-L

Join or leave the list

Then follow the instructions.



Contents

Federal Register

Vol. 68, No. 11

Thursday, January 16, 2003

Agriculture Department

See Forest Service

Alcohol, Tobacco and Firearms Bureau

PROPOSED RULES

Alcohol; viticultural area designations:
Red Hill, OR, and Red Hills, CA, 2262–2263

Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

Census Bureau

NOTICES

Agency information collection activities:
Proposed collection; comment request, 2310–2312

Centers for Medicare & Medicaid Services

NOTICES

Agency information collection activities:
Submission for OMB review; comment request, 2337–2338

Coast Guard

RULES

Drawbridge operations:
Florida, 2201
Ports and waterways safety:
Chesapeake Bay entrance and Hampton Roads, VA;
regulated navigation area, 2201–2203

Commerce Department

See Census Bureau
See Foreign-Trade Zones Board
See International Trade Administration
See National Oceanic and Atmospheric Administration

Commodity Futures Trading Commission

PROPOSED RULES

Commodity pool operators and commodity trading
advisors:
Requirement to register for CPOs of certain pools and
CTAs advising such pools; exemption, 2254

NOTICES

New York Mercantile Exchange, Inc., et al.; floor brokers
and traders treatment as eligible commercial entities
and contract participants, 2319–2324

Customs Service

NOTICES

Agency information collection activities:
Proposed collection; comment request, 2398–2401

Delaware River Basin Commission

NOTICES

Meetings and hearings, 2324–2325

Education Department

NOTICES

Grants and cooperative agreements; availability, etc.:
Special education and rehabilitative services—
Disability and Rehabilitation Research Projects
Program, 2403–2407

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency

RULES

Air pollutants, hazardous; national emission standards:
Municipal solid waste landfills, 2227–2242
Air quality implementation plans; approval and
promulgation; various States; air quality planning
purposes; designation of areas:
Idaho, 2217–2227
Air quality implementation plans; approval and
promulgation; various States:
Florida, 2204–2206
Maryland, 2208–2211
Ohio, 2211–2217
Pennsylvania, 2206–2208
Organization, functions, and authority delegations:
Environmental Appeals Board; physical relocation, 2203–
2204
Pesticides; tolerances in food, animal feeds, and raw
agricultural commodities:
Sodium chlorate, etc., 2242–2247
Superfund program:
National oil and hazardous substances contingency
plan—
National priorities list update, 2247–2252

PROPOSED RULES

Air quality implementation plans; approval and
promulgation; various States:
Florida, 2275
Maryland, 2275–2276
Ohio, 2276
Solid wastes:
Waste management system; testing and monitoring
activities; methods innovation, 2276–2277
Superfund program:
National oil and hazardous substances contingency
plan—
National priorities list update, 2277–2278

NOTICES

Agency information collection activities:
Submission for OMB review; comment request, 2333–
2334
Meetings:
Environmental Policy and Technology National Advisory
Council, 2334
Superfund; response and remedial actions, proposed
settlements, etc.:
NL Industries (Taracorp) Site, IL, 2334–2335
Water supply:
Public water supply supervision program—
Georgia, 2336
South Carolina, 2335–2336

Federal Aviation Administration

RULES

Airworthiness standards:
Special conditions—
Pratt & Whitney Canada PT6-67D turbine engine, 2183–
2185
Class D airspace, 2185–2186

Class E airspace, 2186–2187

Federal airways, 2187–2188

Noise certification standards:

Subsonic jet airplanes and subsonic transport category
large airplanes; correction, 2402

NOTICES

Exemption petitions; summary and disposition, 2392

Grants and cooperative agreements; availability, etc.:

Airport Privatization Pilot Program, 2391–2392

Federal Communications Commission

RULES

Common carrier services:

Commercial mobile radio services—

Wireless handsets; enhanced 911 Phase II requirements
applicability to in-vehicle, embedded telematics
units, 2252–2253

PROPOSED RULES

Television broadcasting:

Cable television systems—

Navigation devices; commercial availability;
compatibility between cable systems and consumer
electronics equipment, 2278–2283

NOTICES

Meetings:

North American Numbering Council, 2336–2337

Federal Energy Regulatory Commission

NOTICES

Electric rate and corporate regulation filings:

Central Illinois Co. et al., 2327–2328

New York Independent System Operator, Inc., et al., 2328

Western Electricity Coordinating Council et al., 2328–
2330

Hydroelectric applications, 2330–2331

Meetings:

Generator interconnection requests queuing; technical
conference, 2331–2332

Regional Transmission Organizations—

State-Federal Regional Panels; discussion, 2332

Applications, hearings, determinations, etc.:

CenterPoint Energy Gas Transmission Co., 2325

Columbia Gulf Transmission Co., 2325–2326

EPGT Texas Pipeline, L.P., 2326

Great Lakes Gas Transmission L.P., 2326

Northern Border Pipeline Co., 2326–2327

Federal Railroad Administration

NOTICES

Agency information collection activities:

Proposed collection; comment request, 2393

Federal Reserve System

NOTICES

Banks and bank holding companies:

Formations, acquisitions, and mergers, 2337

Fish and Wildlife Service

PROPOSED RULES

Endangered and threatened species:

Findings on petitions, etc.—

Mountain yellow-legged frog; Sierra Nevada distinct
population segment, 2283–2303

NOTICES

Agency information collection activities:

Proposed collection; comment request, 2347–2348

Submission for OMB review; comment request, 2348–
2349

Endangered and threatened species:

Recovery plans—

Zapata bladderpod, 2350–2351

Endangered and threatened species permit applications,
2349–2350

Food and Drug Administration

PROPOSED RULES

Human drugs:

Vaginal contraceptive products (OTC) containing
nonoxynol 9; labeling requirements, 2254–2262

NOTICES

Agency information collection activities:

Reporting and recordkeeping requirements, 2338–2339

Debarment orders:

Hernandez, Delfina; rescission, 2339

Harmonisation International Conference; guidelines
availability:

Q1D bracketing and matrixing designs for stability testing
of new drug substances and products, 2339–2340

Reports and guidance documents; availability, etc.:

Clinical trials for therapeutics in adult healthy

volunteers; safe starting dose estimate, 2340–2341

Foreign-Trade Zones Board

NOTICES

Applications, hearings, determinations, etc.:

Nevada

Taiyo America, Inc.; electronic chemicals
manufacturing and warehousing facilities, 2312–
2313

Texas

Deepsea Flexibles, Inc.; flexible pipeline manufacturing
and warehousing facilities, 2313

Forest Service

NOTICES

Meetings:

Resource Advisory Committees—

Fresno County, 2309

Modoc County, 2309

National Environmental Policy Act documentation needed
for fire management activities; implementation, 2309–
2310

General Services Administration

RULES

Federal travel:

Privately owned vehicle mileage reimbursement
Correction, 2402

Health and Human Services Department

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

See Health Resources and Services Administration

See National Institutes of Health

See Substance Abuse and Mental Health Services
Administration

Health Resources and Services Administration

NOTICES

Meetings:

Training in Primary Care Medicine and Dentistry
Advisory Committee, 2341

Immigration and Naturalization Service**NOTICES**

Immigration:

- Nonimmigrant aliens from designated countries—
- Permission to register in timely fashion, 2366–2367
- Registration requirements, 2363–2366

Interior Department

See Fish and Wildlife Service

See National Park Service

See Surface Mining Reclamation and Enforcement Office

NOTICES

- National Environmental Policy Act documentation needed for fire management activities; implementation, 2309–2310

International Trade Administration**NOTICES**

Antidumping:

- Oil country tubular goods, other than drill pipe, from—
- Korea, 2313–2315
- Sebacic acid from—
- China, 2315–2316
- Stainless steel sheet and strip in coils from—
- Italy, 2316–2317

Committees; establishment, renewal, termination, etc.:

- U.S. Automotive Parts Advisory Committee, 2317

Export trade certificates of review, 2317–2318

International Trade Commission**NOTICES**

Import investigations:

- Ferrovanadium from—
- China and South Africa, 2361

Justice Department

See Immigration and Naturalization Service

NOTICES

Pollution control; consent judgments:

- DeLuca, Joseph, 2361–2362
- Dow Chemical Co. et al., 2362
- Rhode Island Resource Recovery Corp., 2362–2363
- Savage, Joseph, estate, et al., 2363
- Wilcox, 2363

National Archives and Records Administration**NOTICES**

Agency information collection activities:

- Proposed collection; comment request, 2367–2368

National Foundation on the Arts and the Humanities**NOTICES**

Meetings; Sunshine Act, 2368–2369

National Highway Traffic Safety Administration**NOTICES**

Motor vehicle safety standards:

- Nonconforming vehicles—
- Importation eligibility; determinations, 2394–2397

National Institutes of Health**NOTICES**

Agency information collection activities:

- Proposed collection; comment request, 2341–2342

Meetings:

- National Cancer Institute, 2342–2343
- National Institute of Dental and Craniofacial Research, 2344–2345

National Institute of Environmental Health Sciences, 2343

National Library of Medicine, 2345–2346

Recombinant DNA Advisory Committee, 2346

National Labor Relations Board**NOTICES**

Meetings; Sunshine Act, 2369

National Oceanic and Atmospheric Administration**RULES**

Fishery conservation and management:

- Caribbean, Gulf, and South Atlantic fisheries—
- South Atlantic shrimp, 2188–2196

PROPOSED RULES

Fishery conservation and management:

- Northeastern United States fisheries—
- Atlantic sea scallop, 2303–2308

NOTICES

Environmental statements; notice of intent:

- National Estuarine Research Reserve System—
- Rookery Bay National Estuarine Research Reserve, FL, 2318–2319

Meetings:

- Pacific Fishery Management Council, 2319

National Park Service**NOTICES**

Boundary establishment, descriptions, etc.:

- Chesapeake and Ohio Canal National Historical Park, MD, 2351

Indiana Dunes National Lakeshore, IN, 2351

Environmental statements; availability, etc.:

- Amistad National Recreation Area, TX, 2351–2352
- Andrews Air Force Base, MD; flight obstructions and safety, 2352–2353

Arkansas Post National Memorial, AR, 2353

Fort Davis National Historic Site, TX, 2353–2354

Great Sand Dunes National Monument and Preserve, CO, 2354–2355

Wupatki and Sunset Crater Volcano National Monuments, AZ, 2355

Environmental statements; notice of intent:

- North Cascades National Park Service Complex, WA, 2355–2356

Santa Monica Mountains National Recreation Area, CA, 2356–2357

Meetings:

Boston Harbor Islands Advisory Council, 2357–2358

Cape Cod National Seashore Advisory Commission, 2358

Chalmette Battlefield Task Force Committee, 2358–2359

Chesapeake and Ohio Canal National Historical Park Advisory Commission, 2359

National Register of Historic Places:

Pending nominations, 2359–2361

Nuclear Regulatory Commission**NOTICES***Applications, hearings, determinations, etc.:*

- Nuclear Management Co., LLC, 2369

Personnel Management Office**RULES**

Retirement:

- Retirement coverage and service credit elections for current and former nonappropriated fund employees, 2175–2182

Postal Rate Commission**PROPOSED RULES**

Practice and procedure:

Postal Service data submissions; periodic reporting rules;
update, 2272–2275**Public Health Service***See* Food and Drug Administration*See* Health Resources and Services Administration*See* National Institutes of Health*See* Substance Abuse and Mental Health Services
Administration**Securities and Exchange Commission****NOTICES**

Investment Company Act of 1940:

Exemption applications—

Evergreen Ventures LLC et al., 2371–2376

Robertson Stephens, Inc., et al., 2376–2378

Meetings; Sunshine Act, 2378

Self-regulatory organizations; proposed rule changes:

American Stock Exchange LLC, 2378–2379

Chicago Stock Exchange, Inc., 2380–2381

National Association of Securities Dealers, Inc., 2382–
2383

National Futures Association, 2381–2384

OneChicago, LLC, 2385

Options Clearing Corp., 2385–2387

Philadelphia Stock Exchange, Inc., 2387–2388

Applications, hearings, determinations, etc.:

KIT Manufacturing Co., Inc., 2369–2370

Public utility holding company filings, 2370–2371

United Financial Mortgage Corp., 2371

Small Business Administration**NOTICES**

Meetings:

District and regional advisory councils—

Connecticut, 2388

Minnesota, 2388

Applications, hearings, determinations, etc.:

Walker Investment Fund II SBIC, L.P., 2388

State Department**NOTICES**

Grants and cooperative agreements; availability, etc.:

Uzbekistan Educational Partnerships Program in Cultural
and Comparative Religious Studies, 2388–2391**Substance Abuse and Mental Health Services
Administration****NOTICES**

Grants and cooperative agreements; availability, etc.:

Community Mental Health Services Performance
Partnership; correction, 2346

Meetings:

Mental Health, President's New Freedom Commission,
2346–2347

SAMHSA Special Emphasis Panels, 2347

Surface Mining Reclamation and Enforcement Office**RULES**

Permanent program and abandoned mine land reclamation

plan submissions:

Kentucky, 2196–2201

PROPOSED RULES

Permanent program and abandoned mine land reclamation

plan submissions:

Alabama, 2263–2265

Kansas, 2265–2268

Maryland, 2268–2272

Surface Transportation Board**NOTICES**

Railroad operation, acquisition, construction, etc.:

N&T Railway Co. LLC, 2397

Railroad services abandonment:

Burlington Northern & Santa Fe Railway Co., 2397–2398

Transportation Department*See* Coast Guard*See* Federal Aviation Administration*See* Federal Railroad Administration*See* National Highway Traffic Safety Administration*See* Surface Transportation Board**Treasury Department***See* Alcohol, Tobacco and Firearms Bureau*See* Customs Service**Separate Parts In This Issue****Part II**

Education Department, 2403–2407

Reader AidsConsult the Reader Aids section at the end of this issue for
phone numbers, online resources, finding aids, reminders,
and notice of recently enacted public laws.To subscribe to the Federal Register Table of Contents
LISTSERV electronic mailing list, go to [http://](http://listserv.access.gpo.gov)
listserv.access.gpo.gov and select Online mailing list
archives, FEDREGTOC-L, Join or leave the list (or change
settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

5 CFR	648.....2303
831.....	2175
837.....	2175
842.....	2175
843.....	2175
844.....	2175
847.....	2175
14 CFR	
21.....	2183
29.....	2183
36.....	2402
71 (4 documents) ...	2185, 2186, 2187
15 CFR	
902.....	2188
17 CFR	
Proposed Rules:	
4.....	2254
21 CFR	
Proposed Rules:	
201.....	2254
27 CFR	
Proposed Rules:	
9.....	2262
30 CFR	
917 (2 documents)	2196, 2199
Proposed Rules:	
901.....	2263
916.....	2265
920.....	2268
33 CFR	
117.....	2201
165.....	2201
39 CFR	
Proposed Rules:	
3001.....	2272
40 CFR	
22.....	2203
52 (5 documents) ...	2204, 2206, 2208, 2211, 2217
63.....	2227
81.....	2217
180.....	2242
300.....	2247
Proposed Rules:	
52 (3 documents)	2275, 2276
63.....	2276
258.....	2276
260.....	2276
261.....	2276
264.....	2276
265.....	2276
266.....	2276
270.....	2276
271.....	2276
279.....	2276
300.....	2277
41 CFR	
301-10.....	2402
47 CFR	
20.....	2252
Proposed Rules:	
73.....	2278
76.....	2278
50 CFR	
622.....	2188
Proposed Rules:	
17.....	2283